

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

|  |   |                                    |
|--|---|------------------------------------|
| _____  | X |                                    |
| In re VEECO INSTRUMENTS INC. SECURITIES LITIGATION | : |                                    |
|  | : |                                    |
| _____  | X |                                    |
| THIS DOCUMENT RELATES TO ALL ACTIONS               | : | Case No.: 7:05-md-01695 (CM) (GAY) |
|  | : |                                    |
| _____  | X |                                    |

**AFFIDAVIT OF EDWARD J. SINCAVAGE, CPA  
REGARDING DISSEMINATION OF NOTICE TO THE CLASS**

I, Edward J. Sincavage, CPA, being first duly sworn according to law, depose and say as follows:

1. I am a partner in the Certified Public Accounting firm of Heffler, Radetich & Saitta L.L.P. ("HR&S"), the main offices of which are at Suite 1700, 1515 Market Street, Philadelphia, Pennsylvania 19102. I have personal knowledge of the matters set forth in this affidavit and, if called upon as a witness, I could and would competently testify to these matters under penalty of perjury.

2. In May 2007, we began assisting Plaintiffs' Counsel in the administration of this class action, which included the dissemination of the "Notice of Pendency of Class Action" dated June 1, 2007 (the "Notice of Pendency"). We continued assisting Lead Counsel in preparation for mailing the "Notice of Proposed Settlement of Class Action" dated September 12, 2007 along with the "Proof of Claim and Release" (hereinafter referred to jointly as the "Notice and Claim Form", a copy of which is attached hereto as Exhibit A).

3. HR&S compiled a computer database consisting of 2,111 names and addresses of potential Class Members. This computer database was created from: a.) the 260 names and addresses of potential Class Members supplied by the transfer agent for Veeco Instruments Inc.; and b.) multiple

databases consisting of the 1,851 names and addresses supplied to us by various brokerage firms, in paper format, in response to the Notice of Pendency mailing.

4. HR&S also compiled computer databases consisting of 7,245 names and addresses of potential Class Members supplied to us by various brokerage firms in electronic formats in response to the Notice of Pendency mailing.

5. Under my supervision, we combined the various databases, verified the above counts of the names and addresses described above and arranged for the 9,356 name and addresses, to be mailed a Notice and Claim Form on September 12, 2007 via postage pre-paid, first-class mail.

6. Also under my supervision, a Notice and Claim Form was also sent via postage pre-paid, first-class mail to each of the 113 banks and other institutions (the "Institutions") in our Institution mailing file on September 12, 2007. This file is a compilation of Institutions that are typically sent a notice in securities class actions administered by HR&S.

7. Also under my supervision, a Notice and Claim Form and a cover letter detailing the firm's response (or non-response) to the Notice of Pendency were mailed via postage prepaid, first-class mail to each of the 349 brokerage firms and other nominees in our Nominee file on September 12, 2007. This file is a compilation of firms that were sent a Notice of Pendency and from which we had received, or had expected to receive, a response. A summary of the responses and the number of Notice and Claim Forms mailed, based on Nominee responses (or non-response) to the Notice of Pendency is as follows:

|   | <u>Number of<br/>Claim Forms Mailed</u> |
|---|---|
| a. 40 Nominees supplied names or labels (included<br>in paragraphs 3 & 4 above)                 | 9,096                                   |
| b. 18 Nominees requested Notices of Pendency in bulk  | 1,968                                   |
| c. 291 Nominees who indicated no record of Class Members<br>or did not respond to our follow-up | <u>291</u>                              |
| <u>TOTAL:</u>   | <u>11,355</u>                           |

8. Thus, on September 12, 2007, HR&S mailed a total of 11,786 Notice and Claim forms via postage pre-paid, first-class mail as described in paragraphs 5, 6, 7 and the total of 7(b) above.

9. Subsequent to September 12, 2007, HR&S mailed additional Notice and Claim forms via postage pre-paid, first-class mail (or via UPS for bulk shipments), as follows:

|  | <u>Number of<br/>Claim Forms Mailed</u> |
|--|---|
| a. To entities based on written requests                       | 1                                       |
| b. To entities based on telephone requests                     | 1                                       |
| c. To entities supplied by Nominees                            | 1,609                                   |
| d. To Nominees that requested Notices in bulk                  | 1,683                                   |
| e. To entities supplied by Schiffrin Barroway &<br>Kessler LLP | <u>448</u>                              |
| <u>TOTAL</u>   | <u>3,742</u>                            |

10. Thus, through October 24, 2007, HR&S has sent a total of 15,528 Notices via postage pre-paid, first-class mail (or via UPS for bulk shipments) as described in paragraphs 5 through 9 above.

11. Additionally, HR&S caused the publication of the "Summary Notice of Proposed Settlement of Class Action" in the National edition of *The Wall Street Journal* on September 19, 2007. An affidavit obtained from the Advertising Clerk of the Publisher of *The Wall Street Journal* is annexed hereto as Exhibit B.

12. Paragraph 12 of the Notice and Claim form informed Class Members that written requests for exclusion from the Class were to be addressed to the Claims Administrator, In re Veeco Instruments, Inc. Securities Litigation, c/o Heffler, Radetich & Saitta L.L.P., P.O. Box 59027, Philadelphia, PA 19102-9027 and mailed, postmarked no later than October 19, 2007. HR&S has daily received and reviewed all mail that has been delivered to that Post Office Box. As of October 24, 2007, HR&S has received one (1) request for exclusion from the Class. A copy of this Request

for Exclusion is annexed hereto as Exhibit C. HR&S has not received any objections to the Settlement.

13. HR&S has also posted the Notice on its website at [www.hrsclaimsadministration.com](http://www.hrsclaimsadministration.com), to further ensure the Notice is disseminated widely. Class members who learned of the settlement via the Summary Notice or the internet could obtain copies of the Notice through this means, if they had not received the form by mail.

  
EDWARD J. SINCAUGE, CPA

Sworn to and subscribed before me  
this 24<sup>th</sup> day of October 2007



